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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,255	09/27/2001	Douglas W. Clark	IDF 1749 (4000-05900)	3385
28003	7590	03/21/2005	EXAMINER	
SPRINT 6391 SPRINT PARKWAY KSOPHT0101-Z2100 OVERLAND PARK, KS 66251-2100			NGUYEN, DUSTIN	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/965,255

Applicant(s)

CLARK ET AL

Examiner

Dustin Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 20 are presented for examination.

Drawings

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because of unclear labeling for Figures 1-4. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 18-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The claim language in the following claims is not clearly understood:

- I. As per claim 18, the limitation of “simultaneously monitoring value for a first plurality of attributes for a second plurality of local queues for a queue-based messaging system” is not clearly explained.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Elko et al. [US Patent No 6,862,595].

7. As per claim 18, Elko discloses the invention substantially as claimed including a computer program product, comprising:

a computer usable medium [col 43, lines 31-32]; and

computer readable program code, encoded in said computer usable medium [col 43, lines 31-34], for generally simultaneously monitoring values for a first plurality of attributes for a second plurality of local queues for a queue-based messaging system [col 1, lines 44-50; col 26, lines 50-57; and col 33, lines 29-31].

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-16, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elko et al. [US Patent No 6,862,595], in view of Faulkner et al. [US Patent No 6,434,605].

10. As per claim 1, Elko discloses the invention substantially as claimed including a distributed computing environment, comprising;

a server computer platform on which a server process application resides [104, Figure 1; and col 6, lines 18-34];

a plurality of client computer platforms coupled to said server computer platform [102, Figure 1; and col 6, lines 18-34], each one of said plurality of client computer platforms having a client process application residing thereon [110, Figure 1; and col 6, lines 35-64],

a queue-based messaging system for controlling the exchange of messages between said server process application and said plurality of client process applications [106, 108, Figure 1; and col 7, lines 12-39], said queue-based messaging system comprising a messaging application residing at each one of said server computer platform and said plurality of client computer platforms [Figure 10; and col 6, lines 49-col 7, lines 11], said messaging application residing at

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said server computer platform managing a plurality of queues [i.e. multiple queues] [col 7, lines 25-30], each one of said plurality of queues described by a plurality of attributes [i.e. MQPUT, MQGET, depth] [col 14, lines 16-24; col 1, lines 44-49; and col 33, lines 40-62]; and a system for monitoring said queue-based messaging system [Figure 12; and col 10, lines 38-61], said monitoring system selecting at least two of said plurality of queues [col 8, lines 56-59; and col 12, lines 51-61] and at least two of said plurality of attributes describing one or more of said plurality of queues [i.e. trigger, depth] [col 26, lines 48-60].

Elko does not specifically disclose generating a display which includes a current value for said selected attributes for each one of said selected queues described thereby.

Faulkner discloses

generating a display which includes a current value for said selected attributes for each one of said selected queues described thereby [col 7, lines 31-46 and lines 58-62].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Elko and Faulkner because Faulkner's teaching of display would allow to dynamically view multiple data at the same time to provide an enhance interface to manage and control the system in a more efficient manner.

11. As per claim 2, Elko discloses wherein each one of said plurality of queues is a local queue for receiving messages originating at a corresponding one of said plurality of client process applications and destined for said server process application [108, Figure 1; and col 35, lines 9-12].

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12. As per claim 3, Elko discloses wherein a first one of said plurality of selected attributes is common to all queues [i.e. visible] [col 17, lines 17-20] and a second one of said plurality of selected attributes is unique to local queues [col 3, lines 63-col 4, lines 3].

13. As per claim 4, Elko discloses second one of plurality of selected attributes is a depth attribute [col 33, lines 40-46].

14. As per claim 5, Elko discloses first one of said selected attributes is a get attribute and said second one of said selected attributes is a depth attribute [col 6, lines 52-54; and col 33, lines 47-56].

15. As per claim 6, Elko discloses first and second ones of said plurality of selected attributes are unique to local queues [col 33, lines 29-31].

16. As per claim 7, Elko discloses wherein said first one of said selected attributes is a trigger attribute and said second one of said selected attributes is a depth attribute [col 27, lines 58-60].

17. As per claim 8, it is rejected for similar reasons as stated above in claim 3.

18. As per claim 9, it is rejected for similar reasons as stated above in claim 5.

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19. As per claim 10, it is rejected for similar reasons as stated above in claim 1. Furthermore, Elko discloses at least five client process applications [col 20, lines 65-col 21, lines 64].

20. As per claim 11, Elko discloses wherein:

each one of said at least five trigger-initiated local queues has a trigger enable attribute [col 26, lines 48-54];

said monitoring tool acquires a value for said trigger enable attribute for each one of said at least five trigger-initiated local queues [col 27, lines 66-col 28, lines 14].

Elko does not specifically disclose

said monitoring tool generally simultaneously displaying, on said user interface, said value for said queue depth attribute and said value for said trigger enable attribute for each one of said at least five trigger-initiated local queues.

Faulkner discloses

said monitoring tool generally simultaneously displaying, on said user interface, said value for said queue depth attribute and said value for said trigger enable attribute for each one of said at least five trigger-initiated local queues [col 2, lines 44-56; and col 7, lines 18-46].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Elko and Faulkner because Faulkner's teaching would allow for monitoring activity with respect to the channel to detect problems and for automatically recover from problems [Faulkner, col 3, lines 64-col 4, lines 3].

21. As per claim 12, Elko discloses wherein

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each one of said at least five trigger-initiated local queues has a get message enable attribute [col 6, lines 52-54];

said monitoring tool acquires a value for said get enable attribute for each one of said at least five trigger-initiated local queues [col 23, lines 28-38].

Elko does not specifically disclose

said monitoring tool generally simultaneously displaying, on said user interface, said value for said queue depth attribute and said value for said get message enable attribute for each one of said at least five trigger-initiated local queues.

Faulkner discloses

said monitoring tool generally simultaneously displaying, on said user interface, said value for said queue depth attribute and said value for said get message enable attribute for each one of said at least five trigger-initiated local queues [col 4, lines 58-65; and col 7, lines 18-46].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Elko and Faulkner because Faulkner's teaching would have enable to monitor multiple types of data to prevent system corruption.

22. As per claim 13, Elko discloses wherein:

each one of said at least five trigger-initiated local queues has a put message enable attribute [col 6, lines 51-53];

said monitoring tool acquires a value for said put message enable attribute for each one of said at least five trigger-initiated local queues [col 14, lines 17-24].

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Elko does not specifically disclose

said monitoring tool generally simultaneously displaying, on said user interface, said value for said queue depth attribute and said value for said put message enable attribute for each one of said at least five trigger-initiated local queues [col 7, lines 18-46].

Faulkner discloses

said monitoring tool generally simultaneously displaying, on said user interface, said value for said queue depth attribute and said value for said put message enable attribute for each one of said at least five trigger-initiated local queues [col 7, lines 18-46].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Elko and Faulkner because Faulkner's teaching would allow to determine the status of the queue to keep it working in a proper manner and to maintain the working order of the queue.

23. As per claim 14, it is rejected for similar reasons as stated above in claims 11-13.

24. As per claim 15, it is rejected for similar reasons as stated above in claim 1.

25. As per claim 16, Elko does not specifically disclose reviewing said display of said value for each one of said at least one attribute for all of said plurality of queues; and initiating corrective action to rectify messaging failures identified from said review of said display. Faulkner discloses reviewing said display of said value for each one of said at least one attribute for all of said plurality of queues; and initiating corrective action to rectify messaging failures

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identified from said review of said display [Figure 9; and col 3, lines 34-46]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Elko and Faulkner because Faulkner's teaching of identify failure and corrective action would allow to prevent system wide corruption to enhance system performance.

26. As per claim 19, it is rejected for similar reasons as stated above in claims 10 and 14.

27. As per claim 20, it is rejected for similar reasons as stated above in claims 10 and 11.

28. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Elko et al. [US Patent No 6,862,595], in view of Faulkner et al. [US Patent No 6,434,605], and further in view of Cloud et al. [US Patent N 5,634,127].

29. As per claim 17, Elko and Faulkner do not specifically disclose
refreshing said display of said value for each one of said at least one attribute for
all of said plurality of queues; and
initiating corrective action to rectify messaging failures identified from a
comparison of said refreshed display to said display.

Cloud discloses

refreshing said display of said value for each one of said at least one attribute for
all of said plurality of queues [i.e. interact] [col 19, lines 5-48 and lines 49-55]; and

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initiating corrective action to rectify messaging failures identified from a comparison of said refreshed display to said display [i.e. checking and error handling] [col 14, lines 27-47].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Elko, Faulkner and Cloud because Cloud's teaching would allow to user of a common user interface when accessing any part of a heterogeneous system of computers [Cloud, col 3, lines 42-45].

30. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached at (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen

Examiner

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